

March 2, 2005

## 2 Members of Hussein Tribunal Are Assassinated in Baghdad

By **ROBERT F. WORTH**

**B**AGHDAD, Iraq, Wednesday, March 2 - A judge and a lawyer with the special tribunal that will try Saddam Hussein and former members of his government were shot and killed Tuesday by gunmen outside their home here, Iraqi officials said.

It was the first time a member of the tribunal is known to have been assassinated, though a number of criminal and civil judges have been killed here in recent months.

Also on Tuesday, a senior Iraqi official said a half brother of Saddam Hussein who was arrested recently had been captured by Iraqi and allied forces, not by Syria, as Iraqi officials had said over the weekend.

The judge, Parwiz Muhammad Mahmoud al-Merani, 59, was killed a day after the Iraqi special tribunal announced the first charges in the approaching trials of former senior officials in Mr. Hussein's government. His son, Aryan Mahmoud al-Merani, 26, who also worked at the tribunal as a lawyer, was killed with him, according to officials at Iraq's Interior Ministry.

Three men drove up and fired automatic weapons at the two men around 9 a.m. as they stood outside their family home in Adhamiya, a largely Sunni Arab neighborhood that has been a center of insurgent activity. Witnesses saw the attackers speeding away in a green Opel sedan without license plates, the officials said.

The 400 or so tribunal members, including about 100 judges and lawyers, have been provided with security guards, and their names have largely been kept secret to forestall assassination attempts. On Monday, as the first charges were announced, a Western legal expert involved in the trial process said that those working on the tribunal were exposed to dangers and that there had been "some incidents," but he declined to provide details.

On Tuesday evening, seven Iraqi police officers were killed in four separate incidents in and around Baghdad, police and hospital officials said. The attacks began when a police lieutenant was killed by gunmen outside his home in the southern Baghdad neighborhood of Doura, Interior Ministry officials said.

A group of officers began searching for the killers, the officials said, and were ambushed soon afterward in an attack that left two officers dead. A second patrol then responded to that attack and was struck by a roadside bomb that killed three more officers, the officials said. A seventh officer was shot and killed by gunmen who forced him to stop as he drove home near Abu Ghraib, west of Baghdad, they said.

The killings came a day after a suicide bomber drove into a crowd of police and army recruits gathered outside a medical clinic in Hilla, 60 miles south of Baghdad. The attack left at least 122 dead and 170 wounded, including women and children, and was the deadliest single bombing since the American invasion nearly two years ago.

In a similar attack on Wednesday, a car bomb killed at least six Iraqi soldiers and wounded 28 outside an Iraqi Army base where soldier candidates line up to apply in western Baghdad, Iraqi officials said.

On Tuesday, the network of the Jordanian militant Abu Musab al-Zarqawi posted a statement on an Islamist Web site claiming responsibility for the Hilla bombing, Reuters reported. The claim by the group, which has waged a campaign of bombings and beheadings that has killed hundreds of Iraqis, could not be verified.

Also on Tuesday, the Muslim Scholars Association, an influential Sunni group that includes members who advocate opposition to the American presence here, issued a statement denouncing the Hilla attack. "This operation will open the door for our enemies to carry out more of their evil designs in Iraq," the statement said. "The association demands that all such attacks against innocent Iraqis be stopped."

The contrasting statements appeared to lend support to the idea of a tactical rift within the insurgency between hard-line guerrillas like Mr. Zarqawi and others who may be more willing to soften their stance and enter the political arena.

At a news conference in Baghdad on Tuesday, Iraq's defense minister, Hazim al-Shalaan, provided new details about the recent capture of one of Mr. Hussein's half brothers, Sabawi Ibrahim al-Hassan al-Tikriti, who has been accused of playing a major role in the organizing and financing of the insurgency.

Mr. Hassan was captured by Iraqi and allied soldiers, Mr. Shalaan said, not by Syrian forces, as Iraqi officials had said Sunday. The Syrians provided the information that led to Mr. Hassan's capture, he added.

He refused to say where Mr. Hassan had been captured or to provide any more information about his arrest, saying simply that it was a "small operation" in which Iraqi special forces and allied forces had cooperated.

Also on Tuesday, a videotape surfaced showing a French newspaper reporter who is being held hostage pleading for help and saying her health is "very bad."

Looking gaunt and frightened, Florence Aubenas, 43, a correspondent for the French daily Libération, appeared seated, clutching her knees with her arms. She stared intently at the camera as she spoke, dressed in a white sweater with her hair falling into her eyes. "I'm very bad psychologically also," she said in English. "Please, it's urgent now. Help me."

Ms. Aubenas disappeared after leaving a Baghdad hotel with her Iraqi interpreter on Jan. 5. The new videotape of her plea was dropped at the offices of a news agency in Baghdad, The Associated Press reported.

General Faults Syria on Iraq Effort

By The New York Times

WASHINGTON, March 1 - The commander of American forces in the Middle East said Tuesday that Syria was not doing enough to halt the flow of fighters into Iraq, nor to arrest or expel Iraqi insurgent leaders on its territory.

In testimony before the Senate Armed Services Committee, the commander, Gen. John P. Abizaid, said

Syria had "not yet done enough in our view to stop that infiltration" of insurgent fighters and organizers to and from Iraq. Syria, he said, is a "de facto safe haven for former Baathists" in Iraq, although the extent of official Syrian support was unclear.

Senators pressed General Abizaid to assess the Iraqi insurgency, and he said it fielded about 3,500 fighters when the Iraqis held their elections on Jan. 30. But he cautioned that there was "a lot of room for interpretation in the numbers of the insurgency."

Later, Defense Department officials emphasized that that number could not be considered a full tally of the insurgent fighters in the country.

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## **Murder of Iraqi judge sends out warning over Saddam trial**

David Enders in Baghdad

THE ASSASSINATION of an investigative judge working on the forthcoming trial of Saddam Hussein has raised fears that insurgents will target legal proceedings against Iraq's former regime.

Judge Barwez Mohammed Mahmoud and his son, Aryan, were murdered outside their home in Baghdad's northern Adamiyah district on Tuesday evening, the same day that five members of Saddam's government were referred for trial. The attack was taken as a clear warning to those collaborating or assisting with the special tribunal investigating leading Baathists.

No group has yet claimed responsibility for the attack, which is the latest in a series of murders of senior figures associated with Iraq's transitional government.

Colonel Adnan al-Jabouri, a ministry of interior spokesman, said another investigative judge, not associated with the Saddam tribunal, was also injured in an assassination attempt yesterday in another part of Baghdad.

On Tuesday, the special tribunal, which is made up of about 50 judges, indicted five members of the former government, including Barzan Ibrahim Hasan al-Tikriti, one of Saddam's half brothers, and the former vice-president, Taha Yassin Ramadan.

The trials of Saddam's lieutenants, which are not likely to begin before May, are expected to take place at a US military base in Baghdad.

The tribunal is expected to try 12 of the former government's top members in total, with Saddam likely to be one of the last to face trial, probably not until next year. Col al-Jabouri said the assassination was not expected to slow the tribunal process.

Mahmoud's death marked the first assassination of a tribunal judge. Raid Juhi, the investigating judge for Saddam Hussein, has lived inside the heavily fortified Green Zone for some months. There have been at least three attempts on his life.

Members of Mahmoud's family said yesterday that they had expected attempts on the life of their father. "We knew this was coming because of my father's work," said one of the judge's surviving sons. "He and my brother died holding their heads up high. This gives me comfort. We believe that the murders were politically motivated."

Mahmoud's son, a lawyer, was a member of the Patriotic Union of Kurdistan, one of the country's two main Kurdish political parties. PUK members have also been targeted for assassination.

In continuing violence in Baghdad yesterday, at least 12 Iraqi soldiers and three employees of the state electricity company were killed by car bombs and mortar fire.

At Yarmuk Hospital, staff threatened to refuse treatment to soldiers after a doctor was beaten by Iraqi troops.

The incident occurred after a doctor refused to stop talking on a mobile phone, which troops feared might be used to set off a bomb. The doctor was beaten with rifle butts, and doctors at the hospital only agreed to treat soldiers again after a military commander agreed that soldiers would no longer carry weapons inside the hospital.

Despite the continuing outbreaks of violence, the head of US central command, General John Abizaid, gave optimistic testimony in Washington, when he appeared before the Senate Armed Services Committee.

General Abizaid said the number of insurgents in Iraq had begun to fall. He also said that US and Iraqi government forces were close to capturing the leader of al-Qa'ida's wing in Iraq, Abu Musab al-Zarqawi, who claimed responsibility for Monday's bomb in Hillah, which killed 125 people. General Abizaid said that "treason within his own organisation" meant that Zarqawi's "days in

Iraq are numbered".

#### ASSASSINATED

V17 May 2004: Abdul Zahra Othman Mohammed, the head of Iraq's Governing Council, killed by suicide bomb

V16 August 2004: Captain Ihsan al-Saji, commander of the Iraqi National Guard, shot dead

V16 December 2004: Kassim Imhawi, the director-general of Iraq's Communications Ministry, shot dead while driving

V4 January 2005: Ali al-Haidari, the Governor of Baghdad, shot dead in roadside ambush

V10 January 2005: Brigadier Amer Ali Nayef, Baghdad's deputy police chief, shot dead outside home

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